1751

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Patent Application of Michael Jacob *et al.*	: Group Art Unit: 1751
Conf. No.:	1922	:
Appln. No.:	09/609,110	: Examiner: Lorna M. Douyon
Filed:	June 30, 2000	:
For:	PROCESS FOR MANUFACTURING INDUSTRIAL DETERGENT AND COMPONENTS THEREOF	: Attorney Docket No. **9003-269US** (A 00 115 B US)

REQUEST FOR RECONSIDERATION

This is in response to the Office Action dated March 27, 2002 (Paper No. 6) in the above-identified patent application.

Claims 1-3 are presently pending in the application.

Applicants are pleased to note the Examiner's withdrawal of the previous rejections under 35 USC 112 and 102(b).

The Examiner has rejected claims 1-3 under 35 USC 103(a) as being unpatentable over U.S. Patent 5,516,447 of Bauer in view of U.S. Patent 4,734,290 of Mayer. The Examiner relies upon Bauer for the same reasons stated in the prior Office Action and discussed in the prior response. The Examiner acknowledges that Bauer fails to specifically disclose an expansion chamber and the step of reducing a flow speed of the process air supplied from below the fluidizing space in an expansion zone located above the fluidizing space (part of step (f) of claim 1 of the present application). However, the Examiner contends that Mayer teaches a conventional fluidized bed in which the upper portion of the fluidized bed chamber is provided with an upwardly and outwardly tapering expansion zone, so that the linear velocity of a flow of a gaseous medium at a given volumetric flow rate upwardly through the chamber progressively

decreases with increasing elevation in the expansion zone. The Examiner concludes that it would have been obvious to one skilled in the art to reasonably expect the fluidized bed of Bauer to have an expansion zone above the fluidized bed chamber and to expect the velocity to progressively decrease with increased elevation in the expansion zone because such aspects are common in fluidized bed as taught by Mayer. This rejection is respectfully but strenuously traversed for the reasons set forth in detail below.

First of all, the Examiner has again focused on the expansion zone located above the fluidizing space in step (f) of the presently claimed process. The Examiner has totally ignored the overall combination of the remaining process steps of claim 1. Thus, as discussed at the bottom of page 5 and the top of page 6 of the prior response, Bauer also fails to disclose several other steps of the presently claimed invention. The Examiner has failed to address any of these steps or arguments in the present office action, and these arguments are repeated and incorporated herein by reference. Moreover, Mayer, which is directed to a totally different process and purpose, does not make up for the deficiencies of Bauer with respect to these steps.

Second, the Examiner's speculation, based on Mayer, that the fluidized bed of Bauer would have been reasonably expected to have an expansion zone above the fluidized bed chamber and that the velocity of air would have been expected to progressively decrease with increasing elevation in the expansion zone is totally unwarranted based on Bauer. Bauer gives very little detail about the fluidized bed apparatus for producing its granular surfactants, and the process of Mayer for preparing a coated-particle salt substitute composition is totally unrelated to the process of Bauer. Therefore, there is no basis in either Bauer or Mayer to support the Examiner's assumption that the fluidized bed of Bauer would have an expansion zone above the fluidized bed chamber as described in Mayer.

Applicants acknowledge that it is generally known in the art that a special material quality can be achieved by supplying to a material found in a fluidized bed a further material component which is sprayed on. By evaporating the sprayed on liquid component, a coated granulate is obtained in the fluidized bed as an end product, which has new material qualities compared to the starting material. These generally known processes are used for different materials, such as those described in Bauer and Mayer. However, the presently claimed method goes far beyond these general processes.

As already discussed in the response to the previous Office Action, Bauer describes a process for converting a fluid or paste-like formulation of washing and cleaning-

active surfactant compounds into a storable and dust-free granulate with increased apparent density. There, the surfactant formulations, which are present in liquid or paste form, are dried and granulated by fluidized bed granulation. In the specific examples of Bauer at columns 9 through 12, various parameters of the fluidized bed flow rate, temperature of the fluidized bed, temperature above the fluidized bed floor, and temperature of the fluidizing air are given. However, as previously explained in the response to the last Office Action, the various process steps of Bauer are not the same as or comparable to the steps of the present invention. Moreover, one cannot derive from the Bauer method of producing granular surfactants the steps of the present invention for manufacturing of industrial detergents and detergent components.

Further, Mayer does not make up for the deficiencies of Bauer. Mayer describes a process for manufacturing a coated-particle salt substitute composition. In that process, a starting material of fine-grained potassium chloride is coated with a maltodextrin. The maltodextrin forms a shell-like coating around the potassium chloride granule after an appropriate treatment in the fluidized bed. The upper portion of the fluidized bed chamber is constructed as conically widening, so that the flow rate of the fluidizing air continually decreases with increasing height in the expansion zone. Thus, as with a partial step of the present process, there is a separation and return of materials to the fluidized bed.

However, the production of salt substitutes as described in Mayer is not at all comparable with a process of manufacturing industrial detergents or detergent components. This is not just a matter of the materials used, but also a matter of different technological characteristics and different operating conditions. Moreover, the Mayer process for preparing a coated-particle salt substitute composition is not at all comparable to the Bauer method of producing granular surfactants. Accordingly, Bauer and Mayer are not properly combinable.

In order to make out a *prima facie* case of obviousness based upon a combination of references, the Examiner must show (a) that the references combined teach each and every step or element of the claimed invention, (b) that there is some motivation in the references themselves to make the proposed combination, and (c) that one skilled in the art would have expected the combination to be successful in achieving the result of the claimed invention. None of these requirements has been demonstrated in the combination proposed by the Examiner.

Thus, neither of the prior art references concerns a process for manufacture of industrial detergents or detergent components, nor can the method and solution of the presently claimed invention be taken or derived from these references, either alone or in combination.

Mayer describes one detail of the presently claimed invention, namely a cross-sectional widening above the fluidizing space, but this does not lead to the solution of the presently claimed invention, even in combination with the disclosure of Bauer. Simply stated, the various process steps, such as heating, agglomeration, coating, drying and cooling, for manufacture of a detergent on a dry material basis are not known or disclosed from either of the cited references.

The present invention is not claiming a cross sectional widening of the fluidized chamber, but rather an overall manufacturing process including a combination of all of the individual steps set forth in claim 1 of the application. That is, the cross sectional widening is merely one detail of the combination of features which is new in a manufacturing process for industrial detergents. Individual, possibly comparable, process parameters from the cited references are not, however, necessarily suitable for the presently claimed invention, since these references with their respective process parameters are used to achieve different objectives and processes. Since these processes of the cited prior art are directed to another objective and also achieve different solutions, they do not render the presently claimed invention obvious or unpatentable.

Accordingly, reconsideration and withdrawal of the rejection and an early Notice of Allowance are respectfully requested.

Respectfully submitted,

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June 27, 2002
(Date)

By: _____

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